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7	Attorneys for Complainant	
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9	BEFORE T BOARD OF REGISTE	
10	DEPARTMENT OF CON STATE OF CAL	
11		
12	In the Matter of the Accusation Against:	Case No. 2008-27
13	THERESA MICHELLE CORREA SOLIS, AKA THERESA MICHELLE SOLIS	ACCUSATION
14	1153 Jonathan Drive Yuba City, CA 95993	ACCUBATION
15		
16	Registered Nurse License No. 560755	
17	Respondent.	
18	Complainant alleges:	
19	<u>PARTIE</u>	<u>es</u>
20	1. Ruth Ann Terry, M.P.H., R.N	. ("Complainant") brings this Accusation
21	solely in her official capacity as the Executive Office	er of the Board of Registered Nursing
22	("Board"), Department of Consumer Affairs.	
23	2. On or about November 4, 199	9, the Board of Registered Nursing issued
24	Registered Nurse License Number 560755 to Theres	sa Michelle Correa Solis, also known as
25	Theresa Michelle Solis ("Respondent"). The registe	red nurse license was in full force and effect
26	at all times relevant to the charges brought herein an	d will expire on September 30, 2007, unless
27	renewed.	
28	<i>III</i>	

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STATUTORY PROVISIONS

- 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.
 - 5. Code section 2761 states in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.
 - 6. Code section 2762 states in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter it is unprofessional conduct for a person licensed under this chapter to do any of the following:

- (b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.
- (c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or

1 :	violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation	
2	and enforcement of the case.	
3	FIRST CAUSE FOR DISCIPLINE	
4	(Criminal Conviction)	
5	8. Respondent's license is subject to discipline under Code section 2761(f),	
6	in that Respondent has been convicted of a crime that is substantially related to the qualifications,	
7	functions, and duties of a registered nurse. On November 3, 2005, in the Superior Court, County	
8	of Sacramento, in the case entitled People of the State of California v. Theresa Michelle Solis	
9	(Super. Ct. Sacramento Cty., 2005, Case No. 05T03489), Respondent was convicted by the Court	
10	on her plea of nolo contendre of violating Vehicle Code section 23152(a) (driving under the	
11	influence of drug or alcohol), a misdemeanor.	
12	SECOND CAUSE FOR DISCIPLINE	
13	(Conviction of Criminal Offense Involving Alcohol)	
14	9. Respondent's registered nurse license is subject to disciplinary action	
15	under Code section 2762(c), in that Respondent was convicted of a crime involving alcohol, as	
16	more fully set forth in paragraph 8, above.	
17	THIRD CAUSE FOR DISCIPLINE	
18	(Use of Alcohol - Danger to Others)	
19	10. Respondent's registered nurse license is subject to disciplinary action	
20	under Code section 2761(a), on the grounds of unprofessional conduct, as defined in Code	
21	section 2762(b), in that on or about June 16, 2005, Respondent used alcoholic beverages in a	
22	manner dangerous or injurious to herself and others, as more fully set forth in paragraph 8,	
23	above.	
24	<u>PRAYER</u>	
25	WHEREFORE, Complainant requests that a hearing be held on the matters	
26	herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:	
27	1. Revoking or suspending Registered Nurse License Number 560755, issued	
28	to Theresa Michelle Correa Solis, also known as Theresa Michelle Solis;	

1 ·	ordering Theresa Michelle Correa Solis, also known as Theresa Michelle	
2	Solis, to pay the Board of Registered Nursing the reasonable costs of the investigation and	
3	enforcement of this case, pursuant to Code section 125.3; and,	
4	3. Taking such other and further action as deemed necessary and proper.	
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7	DATED: 7(20/>)	
8		
9	RUTH ANN TERRY, M.P.H., R.N.	
10	RUTH ANN TERRY, M.P.H., R.N. Executive Officer	
11	Board of Registered Nursing Department of Consumer Affairs	
12	State of California Complainant	
13	Complainant	
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